

2014-179.T

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2014- -T

IN RE: Petition of the Office of Regulatory Staff to)
 Revoke Certificates of Public Convenience and) **PETITION FOR RULE TO**
 Necessity of Certain Motor Carriers For Failure to) **SHOW CAUSE**
 Maintain and File Evidence of Insurance)

The Office of Regulatory Staff ("ORS"), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina ("the Commission"):

1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. §58-23-10 et seq. (Supp. 2013); that the ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. Section 58-4-10, et seq. as enacted by 2004 S.C. Acts 175.

2. That the companies listed in Exhibit A are currently operating as "motor vehicle carriers" as defined in S.C. Code Ann. §58-23-10(4) (Supp. 2013) in that they are incorporated for the purpose of owning, controlling, operating, or managing motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-23-1010 et seq. (Supp. 2013); further, that these companies have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents.

4. That the Companies listed in Exhibit A, upon receiving their Certificate of Public Convenience and Necessity, were found to be fit, willing and able to operate as a motor carrier by the Commission; that such authority found the companies were “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina” and that they “agree to operate in compliance with these statutes and regulations” [10 S.C. Code Regs. 103-133(4)(a) (2013)]; further, that the companies were “aware of the Commission's insurance requirements and the costs associated therewith” [10 S.C. Code Regs. 103-133(4)(b) (2013)].

5. That the Commission requires motor carrier applicants to procure and file with the Commission proper proof of insurance and that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. §58-23-910 (Supp. 2013).

6. That the Companies listed in Exhibit A have failed to file proof of insurance as required by S.C. Code Ann. §58-23-910 (Supp. 2013) and 10 S.C. Code Regs. 103-171 and/or 103-174 (2013). See Exhibit B, Affidavit of Carole Chauvin.

7. That ORS notified the companies listed in Exhibit A, through certified mail, return receipt requested, of their failure to file the required documents providing evidence of insurance; that despite this notification, the listed companies have continued to fail to comply with the requirements of providing evidence of insurance.

8. That “either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission, without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier.” 10 S.C. Code Regs. 103-175 (2013); further, that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. §58-23-910 (Supp. 2013).

9. That “the Commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the Commission, provisions of

the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the Commission, the motor carrier holding a Certificate of Public Convenience and Necessity is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the Commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria..." 10 S.C. Code Regs. 103-240 (2013).

10. That "the Commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate willfully made any misrepresentation of a material fact in obtaining his certificate or willfully violated or refused to observe the laws of this State touching motor vehicle carriers or willfully violated any of the terms of his certificate or of the Commission's proper orders, rules or regulations." S.C. Code Ann. §58-23-320 (Supp. 2013).

11. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier listed in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents. See also Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Issue an order requiring the carriers listed in Exhibit A to appear before the Commission and show cause why their Certificates of Public Convenience and Necessity should not be revoked by this Commission pursuant to 10 S.C. Code Regs. 103-240 (2013);

2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates which the ORS seeks to have revoked by the Commission in this action pursuant to 10 S.C. Code Regs. 103-175 and 103-240 (2013) and S.C. Code Ann. §58-23-320 (Supp. 2013).

3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided the Commission under S.C. Code Ann. §58-23-320 (Supp. 2013) and thereafter immediately enter a final Order.

4. For other appropriate action which the Commission may deem necessary.



C. Lessie Hammonds, Esquire
South Carolina Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
Phone: (803) 737-0800
Fax: (803) 737-0895
Email: lhammon@regstaff.sc.gov

April 23, 2014
Columbia, South Carolina

DOCKET#	CLASS	CERT TYPE	NAME	DBA	ADDRESS	CITY	STATE	ZIP	CODE
1	2013-78-T	C	Edward Swain	AAA Limo & Taxi	800 Columbia Dr Lot 23	Myrtle Beach	SC	29577	
2	2011-478-T	C	Edward Swain	AAA Limo & Shuttle	801 Columbia Dr Lot 23	Myrtle Beach	SC	29577	
3	2001-327-T	C	A & A Taxi Inc.		511 63rd Ave N	Myrtle Beach	SC	29572	
4	1999-15-T	C	Benjamin Hilliard, Sr & Benjamin Hilliard, Jr.	B & L Charter Bus Lines	533 Hilliard Blvd.	Vance	SC	29163	
5	2011-502-T	C	Jeb D. Hart	Budget Taxi	1369 Highlands Hwy	Walhalla	SC	29691	
6	2013-97-T	C	Cameron Transport, LLC		PO Box 210941	Columbia	SC	29221	
7	2009-83-T	C	Charleston Fun Time, Inc.		567 Jessica Ln	Summerville	SC	29483	
8	2011-195-T	C	Christine Nelson Harper	Christine's Transportation Services	4774 Luella Ave	North Charleston	SC	29405	
9	2011-155-T	C	Coast Limousine, LLC		PO Box 498	Longs	SC	29568	
10	2011-118-T	C	Community Charter Services, LLC		PO Box 118	Edgefield	SC	29824	
11	2007-424-T	C	James C. Robertson	Dream Riders Limo	100 Lands End Blvd Unit 602	Myrtle Beach	SC	29572	
12	2013-117-T	C	EBB Tide Taxi, LLC		4341 Spa Dr Apt 1203	Little River	SC	29566	
13	2007-411-T	C	Perry W. Freeman	Freeman Tours Unlimited	824 Big Buck Rd	Orangeburg	SC	29115	
14	2013-257-T	C	G2G Transportation, LLC		3905 W Beltline Blvd Ste 12	Columbia	SC	29204	
15	1998-619-T	C	Tony L. Graham	Graham's Tour	PO Box 71	Garnett	SC	29922	
16	2013-93-T	C	Reginald Mitchell	Horizon Transportation	8658 S Bridge Dr Apt G	Myrtle Beach	SC	29575	
17	2009-13-T	C	Tonya R. Johnson		1015 W Darlington St	Darlington	SC	29501	
18	2012-290-T	C	Inlet.....Entourage, LLC		PO Box 2231	Murrells Inlet	SC	29576	
19	2008-409-T	C	Fred Johnson, Jr	JC Limo Service	110 Blossom St	Goose Creek	SC	29445	
20	2003-106-T	C	Johnson Enterprises of Sumter, Inc.		95 Market St	Sumter	SC	29150	
21	2010-24-T	C	Vernon Lawrence		9478 Leeds Cr	Myrtle Beach	SC	29588	
22	2011-509-T	C	Alex Murphy	Let's Go Golf'n	PO Box 222	Loris	SC	29669	
23	2010-105-T	C	Francisco Vizcarra	Luxurious Limousine Service	PO Box 51672	Myrtle Beach	SC	29579	
24	2010-129-T	C	Francisco Vizcarra	Luxurious Limousine Service	PO Box 51672	Myrtle Beach	SC	29579	
25	2013-303-T	C	Robert White, Jr	Manning Taxi	889 High Hill Rd	Scranton	SC	29591	
26	2011-284-T	C	Carl A. Mitchell	Mitchell's Van Line	2067 Edisto Ave	James Island	SC	29412	
27	2009-217-T	C	Pearson Local Express, LLC		183 Graball Rd	Gaston	SC	29053	
28	2009-186-T	C	Beatrice Pierce		1501 N Rocky Way Dr	Florence	SC	29506	
29	2012-24-T	C	Travis Postell	Party Rollers	1236 River Rock Rd	Hanahan	SC	29410	
30	2009-319-T	E	Eric Weaver	Pizza Cake Moving Company	14 Circle Dr	Greenville	SC	29617	
31	2009-210-T	C	Quick Transportation Service, LLC		234 Shorthorn Rd	Cheraw	SC	29520	
32	2009-390-T	C	Ride Rite Transportation, LLC		PO Box 7209	Florence	SC	29502	
33	2012-238-T	C	Royalty Express, LLC		327 Oak Manor Dr	Columbia	SC	29229	
34	1999-371-T	C	Smalls Transport, LLC		301 Reynard Dr	Goose Creek	SC	29445	
35	1999-381-T	C	Smalls Transport, LLC		301 Reynard Dr	Goose Creek	SC	29445	
36	1994-538-T	C	J.C. Smith		522 Jefferson St	Florence	SC	29506	
37	2009-335-T	C	Lisa R. Brown	Star Player Express	140 Ebony Ln	Goose Creek	SC	29445	
38	2009-515-T	E	Goding & Fishing, LLC	Sure Load Moving	1005 Von Kolnitz Rd	Mount Pleasant	SC	29464	
39	2013-83-T	C	Byron & Kendrick Free	We Care Transport of the Pee Dee	1204 Gloria Dr	Darlington	SC	29532	
40	2004-255-T	C	Watkin White, Jr		2780 Pajoe Lane	Lynchburg	SC	29080	
41	2007-143-T	C	Ruby Barnes	Wiley's Classic Limousine Service	3714 Pinnacle Place Dr	Hephzibah	GA	30815	

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. _____

April 23, 2014

IN RE: Petition of the Office of Regulatory)	
Staff to Revoke Certificates of)	AFFIDAVIT OF
Public Convenience and)	Carole Chauvin
Necessity of Certain Motor Carriers)	

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On April 23, 2014, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (Supp. 2013) has not been filed with ORS by the following carriers as of April 23, 2014:" (See attached list)

AND FURTHER THE AFFLIANT SAYETH NOT.

Carole Chauvin
Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Sworn and subscribed before me
this 23rd day of APRIL, 20 14


Faith Shehane
Notary Public for South Carolina
My Commission Expires: _____
FAITH SHEHANE
Notary Public, State of South Carolina
My Commission Expires 8/1/2022

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2013- -T

IN RE: Petition of the Office of Regulatory Staff to)
 Revoke Certificates of Public Convenience and) **CERTIFICATE OF**
 Necessity of Certain Motor Carriers For Failure to) **SERVICE**
 Maintain and File Evidence of Insurance)

 This is to certify that I, Karen D. Elliott, have this date served one (1) copy of the **PETITION FOR A RULE TO SHOW CAUSE** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

[PLEASE SEE ATTACHED LIST OF PARTIES SERVED ON NEXT PAGE]



Karen D. Elliott

April 23, 2014
Columbia, South Carolina

Edward Swain
d/b/a AAA Limo & Taxi
800 Columbia Dr Lot 23
Myrtle Beach, SC 29577

Edward Swain
d/b/a AAA Limo & Shuttle
801 Columbia Dr Lot 23
Myrtle Beach, SC 29577

A & A Taxi Inc.
511 63rd Ave N
Myrtle Beach, SC 29572

Benjamin Hilliard, Sr & Benjamin
Hilliard, Jr.
d/b/a B & L Charter Bus Lines
533 Hilliard Blvd.
Vance, SC 29163

Jeb D. Hart
d/b/a Budget Taxi
1369 Highlands Hwy
Walhalla, SC 29691

Cameron Transport, LLC
PO Box 210941
Columbia, SC 29221

Charleston Fun Time, Inc.
567 Jessica Ln
Summerville, SC 29483

Christine Nelson Harper
d/b/a Christine's Transportation Sevices
4774 Luella Ave
North Charleston, SC 29405

Coast Limousine, LLC
PO Box 498
Longs, SC 29568

Community Charter Services, LLC
PO Box 118
Edgefield, SC 29824

James C. Robertson
d/b/a Dream Riders Limo
100 Lands End Blvd Unit 602
Myrtle Beach, SC 29572

EBB Tide Taxi, LLC
4341 Spa Dr Apt 1203
Little River, SC 29566

Perry W. Freeman
d/b/a Freeman Tours Unlimited
824 Big Buck Rd
Orangeburg, SC 29115

G2G Transportation, LLC
3905 W Beltline Blvd Ste 12
Columbia, SC 29204

Tony L. Graham
d/b/a Graham's Tour
PO Box 71
Garnett, SC 29922

Reginald Mitchell
d/b/a Horizon Transportation
8658 S Bridge Dr Apt G
Myrtle Beach, SC 29575

Tonya R. Johnson
1015 W Darlington St
Darlington, SC 29501

Inlet.....Entourage, LLC
PO Box 2231
Murrells Inlet, SC 29576

Fred Johnson, Jr
d/b/a JC Limo Service
110 Blossom St
Goose Creek, SC 29445

Johnson Enterprises of Sumter, Inc.
95 Market St
Sumter, SC 29150

Vernon Lawrence
9478 Leeds Cr
Myrtle Beach, SC 29588

Alex Murphy
d/b/a Let's Go Golf'n
PO Box 222
Loris, SC 29569

Francisco Vizcarra
d/b/a Luxurious Limousine Service
PO Box 51672
Myrtle Beach, SC 29579

Francisco Vizcarra
d/b/a Luxurious Limousine Service
PO Box 51672
Myrtle Beach, SC 29579

Robert White, Jr
d/b/a Manning Taxi
889 High Hill Rd
Scranton, SC 29591

Carl A. Mitchell
d/b/a Mitchell's Van Line
2067 Edisto Ave
James Island, SC 29412

Pearson Local Express, LLC
183 Graball Rd
Gaston, SC 29053

Beatrice Pierce
1501 N Rocky Way Dr
Florence, SC 29506

Travis Postell
d/b/a Party Rollers
1236 River Rock Rd
Hanahan, SC 29410

Eric Weaver
d/b/a Pizza Cake Moving Company
14 Circle Dr
Greenville, SC 29617

Quick Transportation Service, LLC
234 Shorthorn Rd
Cheraw, SC 29520

Ride Rite Transportation, LLC
PO Box 7209
Florence, SC 29502

Royalty Express, LLC
327 Oak Manor Dr
Columbia, SC 29229

Smalls Transport, LLC
301 Reynard Dr
Goose Creek, SC 29445

Smalls Transport, LLC
301 Reynard Dr
Goose Creek, SC 29445

J.C. Smith
522 Jefferson St.
Florence, SC 29506

Lisa R. Brown
d/b/a Star Player Express
140 Ebony Ln
Goose Creek, SC 29445

Goding & Fishing, LLC
d/b/a Sure Load Moving
1005 Von Kolnitz Rd
Mount Pleasant, SC 29464

Byron & Kendric Free
d/b/a We Care Transport of the Pee Dee
1204 Gloria Dr
Darlington, SC 29532

Watkin White, Jr
2780 Pajoe Lane
Lynchburg, SC 29080

Ruby Barnes
d/b/a Wiley's Classic Limousine Service
3714 Pinnacle Place Dr
Hephzibah, GA 30815